1 BARRY J. PORTMAN
   Federal Public Defender
2 NICHOLAS P. HUMY
   Assistant Federal Public Defender
3 160 West Santa Clara Street, Suite 575
   San Jose, CA 95113
4 Telephone: (408) 291-7753

5 Counsel for Defendant DANIEL THOMAS REYES

6

7

8   IN THE UNITED STATES DISTRICT COURT

9   FOR THE NORTHERN DISTRICT OF CALIFORNIA

10
   UNITED STATES OF AMERICA,   )   No. CR-07-00772-JF
11   )
                  Plaintiff,   )   **STIPULATION TO HAVE A PRE-PLEA**
12   )   **CRIMINAL HISTORY ONLY**
   vs.   )   **PRESENTENCE REPORT PREPARED;**
13   )   **[PROPOSED] ORDER**
   DANIEL THOMAS REYES,   )
14   )
                  Defendant.   )
15 _____   )

16   Defendant and the government, through their respective counsel, hereby stipulate that,

17 subject to the court's approval, A Pre-Plea, Criminal History Only Pre-Sentence Report should

18 be prepared in this matter in order to facilitate resolution.

19   The parties have been engaged in fruitful resolution discussions in this matter. The

20 matter is expected to resolve short of trial, and the parties are in agreement in principle on the

21 terms. Both parties are of the opinion that it would be of assistance to have a Criminal History

22 //

23 //

24 //

25 No. CR-07-00772-JF

26 **STIPULATION FOR PRE-PLEA,**
    CRIMINAL HISTORY ONLY
    PRESENTENCE REPORT; [PROPOSED]
    ORDER   1

1   Only Pre-Plea Presentence Report prepared by the United States Probation Office. Mr. Reyes'

2   criminal history presents some unusual issues.

3

4   Dated: May 1, 2008   _____/s/_____
                                                    NICHOLAS P. HUMY
5   Assistant Federal Public Defender

6
    Dated: May 1, 2008   _____/s/_____
7   JOHN GLANG
                                                    Assistant United States Attorney
8

9
                                    ORDER
10
        GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that the Unites States
11
    Probation Office shall prepare a Pre-Plea Criminal History Only Pre-sentence Report in this
12
    matter.
13
        IT IS FURTHER ORDERED, that the United States Probation Officer shall inform the
14
    parties and the court when the report can be completed.
15

16
    Dated: _____, 2008   _____
17   JEREMY FOGEL
                                                    United States District Judge
18

19

20

21

22

23

24

25
    No. CR-07-00772-JF
26
    **STIPULATION FOR PRE-PLEA, CRIMINAL
    HISTORY ONLY PRESENTENCE REPORT;
    [PROPOSED] ORDER**   2